

Message Text

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ACTION IO-14

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E.O. 11652: N/A
TAGS: AORG, UN
SUBJECT: ILO ADMINISTRATIVE TRIBUNAL: GENEVA GENERAL
SERVICE SALARIES

REF: (A) GENEVA 5194; (B) STATE 89479

1. MISSION LAB ATT MET WITH MR. MORELLET OF THE SECRETARIAT OF THE ILO ADMINISTRATIVE TRIBUNAL ON APRIL 11. MORELLET SAID THAT THE TRIBUNAL'S ADVISORY OPINION WILL BE READY FOR THE NEXT SESSION OF THE ILO GOVERNING BODY WHICH CONVENES ON MAY 25. PER REF A, THE TRIBUNAL REJECTED A REQUEST FROM THE WORLD HEALTH ORGANIZATION MANAGEMENT TO FILE A BRIEF. THE TRIBUNAL ALSO REFUSED TO ALLOW THE INTERNATIONAL FEDERATION OF CIVIL SERVANTS (FICSA) TO PARTICIPATE, DECIDING THAT THE OPINION IS TO BE CONFINED TO "WHETHER THE INTRODUCTION IN THE ILO OF THE SALARY SCALE AND TRANSITIONAL ARRANGEMENTS FOR GENERAL SERVICE CATEGORY STAFF ENDORSED BY THE UNITED NATIONS GENERAL ASSEMBLY RESOLUTION WOULD CONSTITUTE A BREACH OF THE AGREEMENT SIGNED IN APRIL 1976 AND ACTED UPON BY THE GOVERNING BODY AT ITS 200TH SESSION OR OF THE RIGHTS OF STAFF MEMBERS UNDER THEIR TERMS OF APPOINTMENT."

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2. MORELLET SAID THAT 19 ORGANIZATIONS SUBSCRIBE TO THE ILO TRIBUNAL, INCLUDING THE FOLLOWING GENEVA-BASED UN ORGANIZATIONS: ILO, WHO, INTERNATIONAL TELECOMMUNICATIONS UNION (ITU), WORLD METEOROLOGICAL ORGANIZATION (WMO), AND WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO). WE ARE POUCHING COMPLETE LIST.

3. ILO LEGAL OFFICIALS INFORMED LABATT THAT EMPLOYEES HAVE WON ABOUT ONE OUT OF TWELVE GRIEVANCE CASES BROUGHT BEFORE THE TRIBUNAL. WITHOUT GOING INTO SPECIFICS, THESE OFFICIALS BELIEVE THEY HAVE MADE A STRONG CASE FOR INTRODUCING THE NEW SALARY SCALE, WHICH INCIDENTALLY WAS LIMITED OFFICIAL USE

APPLIED FROM APRIL 1 TO GENERAL SERVICE CATEGORY STAFF ENGAGED ON SHORT-TERM APPOINTMENTS.

4. ONE OFFICIAL INVOLVED IN THE PREPARATION OF THE MANAGEMENT'S ARGUMENTS OPINED THAT THE TRIBUNAL, OFFERING AN ADVISORY OPINION ONLY, RATHER THAN RESPONDING TO A GRIEVANCE, MIGHT OPT FOR BOTH A LEGAL AND MORAL OPINION AND CITED THE "INTERNATIONAL TELECOMMUNICATIONS UNION(ITU) SOLUTION" AS A POSSIBLE COMPROMISE RECOMMENDATION.

5. THE ITU DECIDED THAT "SINCE REMUNERATION CONSTITUTES A CONTRACTURAL CONDITION OF EMPLOYMENT, TRANSITIONAL ALLOWANCES WERE CALCULATED SO THAT THE REMUNERATION AFTER EACH STEP INCREMENT CORRESPONDED TO THE AMOUNT RESULTING FROM THE FORMER SCALES AND SO THAT THE MAXIMUM SALARY OF THE GRADE REMAINED GUARANTEED." THE DIFFERENCE BETWEEN THE ITU SYSTEM AND THAT EMPLOYED BY OTHER UN ORGANIZATIONS IS THAT "OUR METHOD IS VERY EASY TO ADMINISTER WHILE THE LIMITED OFFICIAL USE

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OTHER ONE GIVES A PERSONAL CHARACTER TO THE TRANSITIONAL ALLOWANCE (THE AMOUNT OF WHICH IS FIXED) SO THAT THE TOTAL REMUNERATION BECOMES INDIVIDUAL."

6. AN ITU SOURCE TOLD THE MISSION THAT THIS APPROACH TO THE TRANSITIONAL ALLOWANCE (AVOIDING INDIVIDUALIZING THE TRANSITIONAL ALLOWANCE) PROBABLY ACCOUNTS FOR THE FACT THAT THE ITU GENERAL SERVICE EMPLOYEES ACCEPTED THE NEW SALARY SCALE WITHOUT TOO MUCH RESISTANCE. SOURCE ALSO SAID THAT THE ADDITIONAL COST AMOUNTS TO LESS THAN 20 SWISS FRANCS PER WORKER/MONTH. WHILE OVER 800 GRIEVANCES HAVE BEEN FILED, QUESTIONING THE VALIDITY OF THE REPORT OF THE INTERNATIONAL CIVIL SERVICE COMMISSION AND THE POWER OF THE UNITED NATIONS SECRETARY-GENERAL TO MODIFY SALARY SCALES "UNILATERALLY", NONE HAVE BEEN FILED BY ITU EMPLOYEES.

7. MISSION IS POUCHING A COPY OF THE APPROPRIATE ITU DOCUMENT EXPLAINING HOW IT APPLIED THE NEW SALARY SCALE. VANDEN HEUVEL

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